



General Assembly

Substitute Bill No. 5679

February Session, 2002

AN ACT CONCERNING CREDIT AGAINST UNPAID FINES FOR TIME SPENT IN CONFINEMENT OR PERFORMING COMMUNITY SERVICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-50 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) [Each] (1) Except as provided in subdivision (2) of this
4 subsection, each person committed to any community correctional
5 center upon conviction of any criminal offense, and held therein only
6 for the payment of a fine, shall be discharged from confinement when
7 the time served by such person at the rate of [ten] fifty dollars a day
8 amounts to such fine or the balance thereof remaining unpaid. [; but
9 such a] Such person shall earn an additional credit of [ten] fifty dollars
10 toward such fine or balance [of fine] thereof remaining unpaid for each
11 day [he] such person is employed at productive or maintenance work
12 and has established a satisfactory work record. In computing the
13 number of days to be served, credit shall be given for Sundays,
14 holidays and the day of admission. Each person so committed shall be
15 released during the day following that which completes the time to be
16 served when computed in accordance [herewith] with this subdivision,
17 or immediately upon payment of the fine in full.

18 (2) Each person committed to any community correctional center
19 upon conviction of any criminal offense, and held therein only for the

20 payment of a fine, may be released from confinement by the
21 Commissioner of Correction and, with the agreement of the Court
22 Support Services Division within the Judicial Department, be
23 transferred to said division subject to the requirement that such person
24 perform community service under the supervision of said division
25 until the period of community service performed by such person at the
26 rate of fifty dollars a day amounts to such fine or the balance thereof
27 remaining unpaid. Any person so transferred shall remain under the
28 jurisdiction of the commissioner. Such person shall be discharged from
29 the jurisdiction of the commissioner when such person completes the
30 period of community service required to be performed when
31 computed in accordance with this subdivision or immediately upon
32 payment of the fine in full. If, at any time during such person's release
33 from confinement pursuant to this subdivision, the commissioner
34 determines that the conduct of such person is unsuitable for
35 continuation in such program of community service, such person may
36 be returned to confinement.

37 (3) Payments of fines after commitment shall be made to the clerk of
38 the court which imposed the sentence, and such clerk shall thereupon
39 issue a certificate, which shall be delivered to the Community
40 Correctional Center Administrator as evidence of such payment and
41 shall be attached to and retained with the mittimus or other
42 commitment process, except that, if payment is made at any time when
43 the office of such clerk is not open, such payment shall be made to any
44 person designated by the Community Correctional Center
45 Administrator at the community correctional center where such person
46 is confined, and such person so designated shall transmit the payment
47 to the clerk of the court on the first court day thereafter. No person
48 shall be held in confinement for failure to pay a fine after such a
49 certificate showing that such fine has been fully paid has been
50 delivered to the Community Correctional Center Administrator;
51 provided, if a fine is paid to a person designated to accept it when the
52 office of the clerk is not open, the person confined to the community
53 correctional center shall immediately be released without requiring the

54 prior issuance of such certificate.

55 (b) Payments by persons committed to community correctional
56 centers of fees imposed under the provisions of section 51-56a or costs
57 imposed under the provisions of section 54-143 or 54-143a shall be
58 made to the clerk of the court location which imposed the sentence,
59 except that if payment is made at any time when the office of such
60 clerk is not open, such payment shall be made to any official at the
61 correctional center where such person is confined and such official
62 shall transmit the payment to the clerk of the court on the first court
63 day thereafter.

64 Sec. 2. Section 18-98d of the general statutes, as amended by public
65 act 01-78, is repealed and the following is substituted in lieu thereof
66 (*Effective October 1, 2002*):

67 (a) (1) Any person who is confined to a community correctional
68 center or a correctional institution for an offense committed on or after
69 July 1, 1981, under a mittimus or because such person is unable to
70 obtain bail or is denied bail shall, if subsequently imprisoned, earn a
71 reduction of such person's sentence equal to the number of days which
72 such person spent in such facility from the time such person was
73 placed in presentence confinement to the time such person began
74 serving the term of imprisonment imposed; provided (A) each day of
75 presentence confinement shall be counted only once for the purpose of
76 reducing all sentences imposed after such presentence confinement;
77 and (B) the provisions of this section shall only apply to a person for
78 whom the existence of a mittimus, an inability to obtain bail or the
79 denial of bail is the sole reason for such person's presentence
80 confinement, except that if a person is serving a term of imprisonment
81 at the same time such person is in presentence confinement on another
82 charge and the conviction for such imprisonment is reversed on
83 appeal, such person shall be entitled, in any sentence subsequently
84 imposed, to a reduction based on such presentence confinement in
85 accordance with the provisions of this section. In the case of a fine,
86 each day spent in such confinement prior to sentencing shall be

87 credited against the sentence at the rate of [ten] fifty dollars.

88 (2) (A) Any person convicted of any offense and sentenced on or
89 after October 1, 2001, to a term of imprisonment who was confined to a
90 police station or courthouse lockup in connection with such offense
91 because such person was unable to obtain bail or was denied bail shall,
92 if subsequently imprisoned, earn a reduction of such person's sentence
93 in accordance with subdivision (1) of this subsection equal to the
94 number of days which such person spent in such lockup, provided
95 such person at the time of sentencing requests credit for such
96 presentence confinement. Upon such request, the court shall indicate
97 on the judgment mittimus the number of days such person spent in
98 such presentence confinement.

99 (B) Any person convicted of any offense and sentenced prior to
100 October 1, 2001, to a term of imprisonment, who was confined in a
101 correctional facility for such offense on October 1, 2001, shall be
102 presumed to have been confined to a police station or courthouse
103 lockup in connection with such offense because such person was
104 unable to obtain bail or was denied bail and shall, unless otherwise
105 ordered by a court, earn a reduction of such person's sentence in
106 accordance with the provisions of subdivision (1) of this subsection of
107 one day.

108 (C) The provisions of this subdivision shall not be applied so as to
109 negate the requirement that a person convicted of a first violation of
110 subsection (a) of section 14-227a and sentenced pursuant to
111 subparagraph (B)(i) of subdivision (1) of subsection (h) of said section
112 serve a term of imprisonment of at least forty-eight consecutive hours.

113 (b) In addition to any reduction allowed under subsection (a) of this
114 section, if such person obeys the rules of the facility such person may
115 receive a good conduct reduction of any portion of a fine not remitted
116 or sentence not suspended at the rate of ten days or [one hundred] one
117 thousand dollars, as the case may be, for each thirty days of
118 presentence confinement; provided any day spent in presentence

119 confinement by a person who has more than one information pending
120 against such person may not be counted more than once in computing
121 a good conduct reduction under this subsection.

122 (c) The Commissioner of Correction shall be responsible for
123 ensuring that each person to whom the provisions of this section apply
124 receives the correct reduction in such person's sentence; provided in no
125 event shall credit be allowed under subsection (a) of this section in
126 excess of the sentence actually imposed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

JUD *Joint Favorable Subst.*